



INTERIOR BOARD OF INDIAN APPEALS

Jim and Elsie Meeks v. Aberdeen Area Director, Bureau of Indian Affairs

23 IBIA 285 (04/01/1993)

Denying reconsideration of:
23 IBIA 200



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

JIM and ELSIE MEEKS,
Appellants

v.

ABERDEEN AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Denying Reconsideration
:
:
:
: Docket No. IBIA 93-19-A
:
:
: April 1, 1993

Appellants Jim and Elsie Meeks seek reconsideration of the Board's February 22, 1993, order affirming a decision issued by the Aberdeen Area Director removing Allotment Nos. 1864-L1 and 1865-L3, Pine Ridge Reservation, from Range Unit 247 and returning the allotments to Range Unit 26. 23 IBIA 200.

As grounds for reconsideration, appellants assert that they did not receive a copy of the administrative record from the Area Director and that a copy of the record was essential to their filing of an opening brief. A copy of the table of contents to the administrative record was included with the Board's November 16, 1992, notice of docketing. Appellants did not request copies of any information in the record, nor did they request an extension of time for filing their opening brief based on lack of the record.

43 CFR 4.315 provides that reconsideration of a Board decision "will be granted only in extraordinary circumstances." The Board does not consider the failure to request information in the administrative record to constitute "extraordinary circumstances" within the meaning of the regulations.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this request for reconsideration is denied.

//original signed

Kathryn A. Lynn
Chief Administrative Judge

//original signed

Anita Vogt
Administrative Judge